

Exhibit A



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Transcript of Coleman Bazelon, Ph.D.

Date: May 29, 2025

Case: XR Communications, LLC -v- AT&T Services Inc., et al.

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

XR COMMUNICATIONS, LLC, dba :
VIVATO TECHNOLOGIES, :
Plaintiff, :
vs. : CASE NO:
AT&T SERVICES INC., AT&T : 2:23-cv-00202-JRG-RSP
MOBILITY LLC, and AT&T CORP. :
Defendant. :
NOKIA OF AMERICA CORPORATION, :
ERICSSON INC. :
Intervenors. :

XR COMMUNICATIONS, LLC, dba : Case No:
VIVATO TECHNOLOGIES, : 2:23-cv-00203-JRG-RSP
Plaintiff, : (Member Case)
vs. :
VERIZON COMMUNICATIONS, INC. :
And CELLCO PARTNERSHIP D/B/A :
VERIZON WIRELESS, :
Defendants, :
NOKIA OF AMERICA CORPORATION, :
ERICSSON INC. :
Intervenors. :

(Caption continued on following page)

1 patent had expired. Correct? 11:55:58

2 A. I believe that's the date, yes. 11:56:00

3 Q. Okay. And so whatever portion of the buffer that was 11:56:01

4 associated with addressing the 4 to 5 percent spectral 11:56:08

5 degradation, it is no longer applicable. Correct? It 11:56:14

6 then kind of goes -- that buffer now gets bigger 11:56:18

7 again. 11:56:23

8 A. Well, it sort of depends. If they have deployed 11:56:23

9 their network in a way -- I think what you're 11:56:25

10 positing is a hypothetical where they deploy their 11:56:29

11 network with more capital in it, and then on 11:56:33

12 July 12th they flip a switch to turn on this 11:56:36

13 technology, right? That's let's say they -- it was 11:56:38

14 built in, they didn't turn it on. Now they flip a 11:56:44

15 switch and now they have this extra capacity at that 11:56:47

16 point. 11:56:49

17 They didn't have that extra buffer capacity 11:56:50

18 earlier, and they would have had to make investments 11:56:53

19 over that time to maintain the same level of capacity. 11:56:56

20 Q. Well, that's not true, sir, right? Because they've 11:57:01

21 got a buffer. So let's say -- let's say we've got 11:57:04

22 a -- 11:57:06

23 A. I dis -- I think the problem here is, I disagree with 11:57:06

24 you about what a buffer is. All networks are 11:57:08

25 always -- as outlined in my report, the demand for 11:57:12

1 mobile wireless services is growing significantly 11:57:15
2 over time. So all of these networks are constantly 11:57:18
3 adding additional capacity. Right? They are growing 11:57:23
4 all the time. 11:57:26

5 And the point is, they -- at any moment 11:57:28
6 when they couldn't use this technology they would 11:57:31
7 have had to grow faster than they would have, and the 11:57:34
8 idea that there's some exogenous buffer that just 11:57:37
9 covers it with no cost to the carrier is what I'm 11:57:40
10 objecting to. 11:57:42

11 Q. Okay. But the cost to the carrier is a potential 11:57:43
12 future cost. Right? So, for example, in the example 11:57:48
13 we're talking about, you're suggesting that the 11:57:54
14 spectrum was owned by Verizon, they had plans to 11:57:58
15 deploy it in the future, but due to this degradation 11:58:01
16 in this two-and-a-half-year window, they had to pull 11:58:05
17 forward the use of that spectrum to the -- to the 11:58:07
18 present day when, in reality, they had planned for it 11:58:11
19 later on. 11:58:14

20 A. That's way too simple a way of characterizing it, 11:58:14
21 unfortunately. It's not -- it's not that simple. 11:58:17
22 They may deploy some spectrum sooner. Doing so is 11:58:24
23 not costless, though, because it requires additional 11:58:27
24 capital infrastructure to make it useful. And it's 11:58:31
25 not the case that in 2021 they're deploying -- they 11:58:33

1 could obviously only apply to that spectrum that was 13:31:54
2 actually deployed in that market at the time. 13:31:58
3 Correct? 13:32:01
4 A. I think what you're suggesting is that the sort of 13:32:06
5 mechanism of how the patents work, work on deployed 13:32:09
6 spectrum, and therefore you will measure an amount on 13:32:14
7 the amount deployed. 13:32:19
8 That's true. But it's not -- that doesn't 13:32:21
9 mean that when they're thinking about their network 13:32:23
10 and deploying spectrum, and so forth, and how much to 13:32:28
11 deploy or what to do with their spectrum holdings, 13:32:30
12 that the overall capacity they have access to is 13:32:34
13 lower across all the spectrum they could deploy. 13:32:41
14 Q. So your valuations include a valuation of spectrum 13:32:58
15 that has not yet been deployed in T-Mobile's market? 13:33:01
16 A. As I've said before, I don't second-guess how they 13:33:05
17 decide to build out their network and deploy it, but 13:33:08
18 when they're considering -- I'll use this as an 13:33:14
19 example used earlier, that there might be a buffer of 13:33:17
20 some sort. That buffer is affected by the 4 to 13:33:19
21 5 percent efficiency. 13:33:26
22 Q. No, I -- let's set the buffer aside. You would agree 13:33:28
23 with me that there are likely markets in which 13:33:33
24 T-Mobile has spectrum that it has not yet deployed. 13:33:44
25 Would you agree with that premise? 13:33:50

CERTIFICATE OF NOTARY

STATE OF MICHIGAN)

) SS

COUNTY OF OAKLAND)

I, ALISON WEBSTER, certify that the deposition of COLEMAN BAZELON, Ph.D. was taken before me via videoconference on the date hereinbefore set forth; that the foregoing questions and answers were recorded by me stenographically and reduced to computer transcription; that this is a true, full, and correct transcript of my stenographic notes so taken; and that I am not related to, nor of counsel to, either party nor interested in the event of this cause.



ALISON C. WEBSTER, CSR-6266, RPR, RMR, CRR, RDR

Notary Public, Oakland County, Michigan

My commission expires: May 1, 2029